

REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are unpatentable under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

The Applicants note that the Examiner stated that only claims 1-4, 8-19 and 23-32 are pending in the Office Action Summary. This appears to be a typographical error as the Examiner addresses claim 7 in the detailed rejection. For completeness, the Applicants address claim 7 below in their arguments.

I. REJECTION OF CLAIMS 1-4, 7-19 AND 23-31 UNDER 35 U.S.C. § 103

A. Claims 1-4, 7-11, 16-19, and 23-27

The Examiner rejected claims 1-4, 7-11, 16-19, and 22-27 as being unpatentable over Summers, et al. (U.S. Patent No. 6,961,416, issued on November 1, 2005, hereinafter referred to as "Summers") in view of Rodman, et al. (U.S. Patent Publication No. 2002/0103864, published on August 1, 2002, hereinafter referred to as "Rodman") and in further view of Aravamudan, et al. (U.S. Patent No. 6,584,076, issued on June 24, 2003, hereinafter referred to as "Aravamudan"). The Applicants note that the Examiner included claims 20-22 in the rejection. However, the Applicants note that claims 20-22 were previously canceled without prejudice. Regardless, the Applicants respectfully traverse the rejection.

Summers teaches an internet-enabled conferencing system and method accommodating PSTN and IP traffic. A caller may call into a conference call by dialing a number connecting them to a Voice node or VoIP node within a chassis on a TDM bus. (See Summers, col. 11, ll. 26-65).

Rodman teaches a system and method for coordinating a conference using a dedicated server. The system and method initiates a data conference between a plurality of conference endpoints linked in communication by a private or public computer network. (See Rodman, Abstract).

Aravamudan teaches a telecommunications conferencing method and apparatus. The method and apparatus use a plurality of device servers including a packet circuit gateway. In response to a request for a conference call, the packet network determines the parties to be on the conference call and selects a conference bridge that results in the lowest cost for the conference call. (See Aravamudan, Abstract).

The Examiner's attention is directed to the fact that Summers, Rodman and Aravamudan, alone or in any permissible combination, fail to teach or to suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively claimed by the Applicants' independent claims 1 and 16, respectively. Specifically, Applicants' independent claims 1 and 16 recite:

1. A method for establishing a Voice over Internet Protocol (VoIP) conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the method comprising:

receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations;

establishing a Real-Time Transport Protocol (RTP) voice path with the first VoIP station and said VCS; and

managing data packet transmission between the first VoIP station and one of the plurality of communication stations via said VCS.

(Emphasis added).

16. A device for establishing a Voice over Internet Protocol (VoIP) conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the device comprising:

a receiver in a Voice Conference Server (VCS) for receiving an indication from the first VoIP station in the private network for joining a call, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations;

an apparatus in said VCS for setting up a Real-Time Transport Protocol (RTP) voice path with the first VoIP station in response to the received signal for joining said call; and,

an RTP mixer in said VCS for managing at least two VoIP stations and sending the mixed data packets to at least one VoIP station.
(Emphasis added).

In one embodiment, Applicants' invention is a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. As a result, the Applicants' invention provides conferencing capability in private VoIP networks while containing costs for the VoIP phones because of the VCS. (See e.g., Applicants' specification, p. 6, para. [15]). Moreover, the VCS may provide conferencing capabilities without the need to pre-establish a conference call. (See *Id.* para. [16]).

The alleged combination (as taught by Summers) fails to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network,

wherein said VCS is external to said first VoIP station and said plurality of communication stations. The Examiner concedes this in the Office Action. (See Office Action, page 3, lines 12-15). However, the Examiner then alleges that Rodman bridges the substantial gap left by Summers.

The Applicants respectfully submit that Rodman fails to bridge the substantial gap left by Summers because Rodman also fails to teach or suggest receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. As previously noted, in the Applicants' invention the code number identifies an existing conversation between the second VoIP station in the private network and a phone in a public network. That is, in the Applicants' invention there is no pre-established conference call. Rather, the code number, provided by the first VoIP station that desires to join an existing call, identifies a private conversation between two parties (e.g. the second VoIP station and the phone in the public network) that a third party (e.g. the first VoIP station) wishes to join.

In contrast, Rodman teaches away from the Applicants' invention because Rodman teaches that the initial audio conference is established by dialing a telephone number and entering a code assigned to the conference bridge. (See Rodman, para. [0038]). The codes referred to by the Examiner are used with a data conference that may be initiated only for those participants already in the existing audio conference. (See Rodman, para. [0038]-[0039]).

Moreover, the data conference codes used in Rodman are for allowing an invited participant to join a newly generated data conference. (See Rodman, para. [0047]). Notably, the data conference code does not identify an existing conversation between the second VoIP station in the private network and a phone in a public network.

Aravamudan also fails to bridge the substantial gap left by Summers and Rodman because Aravamudan also fails to teach or suggest receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. Aravamudan only teaches dynamically changing conference bridges. (See Aravamudan, Abstract). Therefore, Summers, Rodman and Aravamudan, alone or in any permissible combination, fail to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively recited by Applicants' independent claims 1 and 16. Therefore, the Applicants respectfully request the rejection be withdrawn.

Moreover, dependent claims 2-4, 7-11, 17-19, and 23-27 depend, either directly or indirectly, from independent claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 2-4, 7-11, 17-19, and 23-27 are also patentable over Summers, Rodman and Aravamudan. As such, the Applicants respectfully request the rejection be withdrawn.

B. Claims 12-15 and 28-31

The Examiner rejected claims 12-15 and 28-31 as being unpatentable over Summers in view of Rodman and Aravamudan and in further view of Canon,

et al. (U.S. Patent No. 6,269,159, issued on July 31, 2001, hereinafter referred to as "Cannon"). The Applicants respectfully traverse the rejection.

The teachings of Summers, Rodman and Aravamudan have been discussed above. Cannon teaches conferencing with a calling party. The method and apparatus provides three way conferencing which allows a third party caller to call into an existing telephone call at a single line of a called party's telephone. (See Cannon, Abstract.)

The Examiner's attention is directed to the fact that the alleged combination (as taught by Summers, Rodman, Aravamudan, and Cannon) fails to disclose the novel a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively claimed by the Applicants' independent claims 1 and 16. (See *supra*).

The Applicants' invention teaches a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. In contrast, as discussed above, the combination of Summers, Rodman and Aravamudan simply does not teach or suggest the novel method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing

conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations.

Moreover, Cannon does not bridge the substantial gap left by Summers, Rodman and Aravamudan because Cannon also fails to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. Cannon only teaches a method and apparatus for conferencing with a calling party. (See Cannon, Abstract). Thus, for all of the above reasons, the Applicants respectfully contend that claims 1 and 16 of the present invention are not made obvious by the combination of Summers, Rodman, Aravamudan and Cannon.

Furthermore, dependent claims 12-15 and 28-31 depend, either directly or indirectly, from claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 12-15 and 28-31 are also patentable and not made obvious by the teachings of Summers, Rodman, Aravamudan and Cannon. As such, the Applicants respectfully request the rejection be withdrawn.

CONCLUSION


Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. § 103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 842-8110 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,

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